



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David William Holden

Serial No.: 09/714,602

Art Unit: 1636

Filed: November 16, 2000

Examiner: G. Leffers

For: "IDENTIFICATION OF GENES"

Assistant Commissioner for Patents
Washington, D.C. 20231**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER AN ISSUED U.S. PATENT**

Sir:

Petitioners, Microscience Limited and Imperial College Innovations Limited, are the joint and undivided interest owners of the above-identified application and U.S. Patent No. 5,876,931, as evidenced by the accompanying certificates under 37 C.F.R. §3.73(b). Petitioners hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154-156 and 173, as shortened by any terminal disclaimer filed prior to the grant of U.S. Patent No. 5,876,931. Petitioners hereby agree that any patent so granted on the instant application shall be enforceable only for and during such period that it and U.S. Patent No. 5,876,931 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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U.S.S.N. 09/714,602

Filed: November 16, 2000

TERMINAL DISCLAIMER

In making the above disclaimer, petitioners do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§154-156 and 173 of U.S. Patent No. 5,876,931, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The undersigned is empowered to act on behalf of Microscience Limited and Imperial College Innovations Limited.

I declare that all statements made herein of my own knowledge and belief are true and that all statements made on information and belief are believed to be true, and further, that the statements are made with the knowledge that willful false statements are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon. The undersigned is authorized to act on behalf of the assignees, Microscience Limited and Imperial College Innovations Limited.

U.S.S.N. 09/714,602

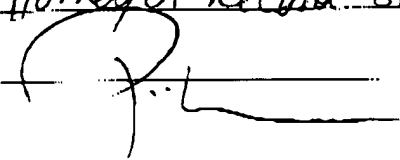
Filed: November 16, 2000

TERMINAL DISCLAIMER

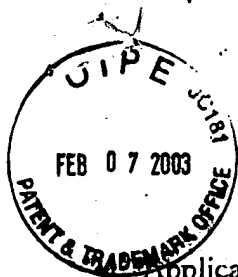
Date: 2/3/2003

Name: PATREA L PABST

Title: Attorney of Record 34284

Signature: 

ATL1 #562045 v1

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Assistant Commissioner for Patents
Washington, D.C. 20231**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING
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Sir:

Petitioners, Microscience Limited and Imperial College Innovations Limited, are the joint and undivided interest owners of the above-identified application and U.S. Patent No. 6,342,215 as evidenced by the accompanying certificates under 37 C.F.R. §3.73(b). Petitioners hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154-156 and 173, as shortened by any terminal disclaimer filed prior to the grant of U.S. Patent No. 6,342,215. Petitioners hereby agree that any patent so granted on the instant application shall be enforceable only for and during such period that it and U.S. Patent No. 6,342,215 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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U.S.S.N. 09/714,602

Filed: November 16, 2000

TERMINAL DISCLAIMER

In making the above disclaimer, petitioners do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§154-156 and 173 of U.S. Patent No. 6,342,215, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The undersigned is empowered to act on behalf of Microscience Limited and Imperial College Innovations Limited.

I declare that all statements made herein of my own knowledge and belief are true and that all statements made on information and belief are believed to be true, and further, that the statements are made with the knowledge that willful false statements are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

U.S.S.N. 09/714,602

Filed: November 16, 2000

TERMINAL DISCLAIMER

The undersigned is authorized to act on behalf of the assignees, Microscience Limited
and Imperial College Innovations Limited.

Date: 2/3/2003Name: PATREA L. PABSTTitle: ATTORNEY OF RECORD 31,284Signature: [Signature]

ATL1 #562048 v1



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Assistant Commissioner for Patents
Washington, D.C. 20231**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER AN ISSUED U.S. PATENT**

Sir:

Petitioners, Microscience Limited and Imperial College Innovations Limited, are the joint and undivided interest owners of the above-identified application and U.S. Patent No. 6,015,669, as evidenced by the accompanying certificates under 37 C.F.R. §3.73(b). Petitioners hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154-156 and 173, as shortened by any terminal disclaimer prior to the grant of U.S. Patent No. 6,015,669, issued on January 18, 2000. Petitioners hereby agree that any patent so granted on the instant application shall be enforceable only for and during such period that it and U.S. Patent No. 6,015,669 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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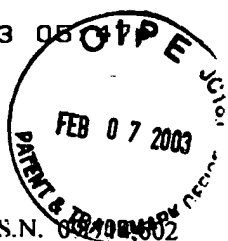
Filed: November 16, 2000

TERMINAL DISCLAIMER

In making the above disclaimer, petitioners do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§154-156 and 173 of U.S. Patent No. 6,015,669, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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U.S.S.N. 68/198862

Filed: November 16, 2000

TERMINAL DISCLAIMER

The undersigned is authorized to act on behalf of the assignees, Microscience Limited
and Imperial College Innovations Limited.

Date: 2/3/2003
Name: PATREA L. PABST
Title: ATTORNEY OF RECORD 31, 284
Signature: [Signature]

ATL1 #562049 v1